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May 23, 2023

*Via ECF*

MEMORANDUM ENDORSED

The Honorable Gabriel W. Gorenstein  
United States District Court for the  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

Re: Osias v. N.Y.C. Dep't of Educ., et al.  
No. 21 CV 8877 (PAE)(GWG)

Dear Magistrate Judge Gorenstein:

I am an Assistant Corporation Counsel in the Office of the Corporation Counsel of the City of New York, the Honorable Sylvia O. Hinds-Radix, attorney for Defendants Warden Kaputo, Captain Sands, Captain Williams, Vincent Schiraldi, NYC Health & Hospitals, and the City of New York (collectively, "Defendants") in the above-referenced action. I write to respectfully request a brief 1-week extension of the deadline by which Defendants must make their motion for summary judgment based on the terms of the General Release discussed in their April 14, 2023 Letter to the Court, (ECF No. 49).

Shortly after the Court set the Defendants' deadline to move for summary judgment and in light of a colleague's unanticipated absence, I unexpectedly was tasked with coordinating the New York City Law Department's response to over fifty special election proceedings relating to the upcoming June primary election and filed against the City's Board of Elections in the Supreme Courts throughout the City's boroughs. This sudden influx of a large volume of cases was extremely disruptive to my other assignments and was regrettably followed by medical issues that have caused (and continue to cause) frequent absences from work. These disruptions have resulted in additional time being needed to complete Defendants' motion for summary judgment.

The Defendants' current deadline to move for summary judgment is May 25, 2023. (ECF No. 50.) The requested extension would move this deadline to June 1, 2023. This is the Defendants' first request for an extension of their time to move for summary judgment. Due to Plaintiff's incarceration and *pro se* status, I have not been able to seek his consent in advance of making this application.

I thank the Court for its consideration of this matter.

Respectfully yours,

/s/ David S. Thayer

David S. Thayer

cc: ***Via First-Class Mail***  
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Caller Box 119  
Romulus, NY 14541  
*Plaintiff pro se*

The deadline for the motion for summary judgment is extended to June 1, 2023. Under Judge Engelmayer's Individual Practices, plaintiff's response is due June 29, 2023.

So Ordered.



GABRIEL W. KORENSTEIN  
United States Magistrate Judge

May 24, 2023